

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

CLEAN AIR COUNCIL,	:	CIVIL ACTION
<i>Plaintiff,</i>	:	
	:	
v.	:	
	:	
U.S. DEPARTMENT OF THE	:	
INTERIOR et al.,	:	NO. 22-2741
<i>Defendants.</i>	:	

**ORDER**

AND NOW, this 6th day of September, 2024, upon consideration of the Motions for Summary Judgment (ECF Nos. 25, 26, 27, and 28), all responses thereto (ECF Nos. 29, 30, 31, 32, 33), and for the reasons set forth in the accompanied memorandum, it is hereby **ORDERED**:

1. Defendants' and Intervenor's Motions (ECF Nos. 25, 26, and 27) are **DENIED**.
2. Plaintiff's Motion (ECF No. 28) is **GRANTED**.
3. Defendants shall review its previous segregation determinations regarding the feasibility studies and supporting documents and produce within 45 days of the date of this Order to Plaintiff any information contained therein relevant to NPS's theoretical compliance with NEPA and NHPA. If Defendants determine that such information is inextricably intertwined with exempt portions of the studies, such that it is unreasonable to produce any portion of the studies and supporting documents, Defendants shall submit the disputed documents to the Court within 45 days of the date of this Order for *in camera* review.

**IT IS SO ORDERED.**

**BY THE COURT:**

/s/ Hon. Kelley B. Hodge

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**HODGE, KELLEY B., J.**